

Maine Revised Statutes
Title 17-A: MAINE CRIMINAL CODE
Chapter 54: RESTITUTION

§1326-B. INCOME WITHHOLDING ORDER

1. When restitution is required of an offender who will not be commencing service of a period of institutional confinement, who does not receive a sentence that includes a period of probation and who is employed, the court shall, at the time of ordering restitution, enter a separate order for income withholding. When restitution is required of an offender who receives a sentence that includes a period of probation and who is employed, upon application of the offender's probation officer, the court shall enter a separate order for income withholding. The withholding order must direct the employer to deduct from all income due and payable to the offender an amount determined pursuant to section 1326-A to meet the offender's restitution obligation. The withholding order must include an instruction to the employer that upon receipt of a copy of the withholding order the employer shall:

A. Immediately begin to withhold the offender's income when the offender is usually paid; [1999 , c. 469 , §1 (NEW) .]

B. Send each amount withheld to the agency to which restitution has been ordered to be paid at the address set forth in the order within 7 business days of the withholding; and [1999 , c. 469 , §1 (NEW) .]

C. Identify each amount sent to the agency by indicating the court's docket number. [1999 , c. 469 , §1 (NEW) .]

[2009 , c. 608 , §13 (AMD) .]

2. The income withholding order is effective as long as the order for restitution upon which it is based is effective, including after a defendant is no longer in the custody or under the supervision of the Department of Corrections and has not paid the restitution in full as described in section 1326-F, or until further order of the court.

[2011 , c. 464 , §24 (AMD) .]

SECTION HISTORY

1999 , c. 469 , §1 (NEW) . 2009 , c. 608 , §13 (AMD) . 2011 , c. 464 , §24 (AMD) .

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